

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

CARPENTERS PENSION AND ANNUITY FUND	:	CIVIL ACTION
OF PHILADELPHIA AND VICINITY, et al	:	
	:	
Plaintiffs	:	
	:	
v.	:	
	:	
DERRICK R. BANKS and	:	
ANNA E. BANKS	:	
	:	
Defendants	:	NO. 02-4545

REQUEST TO ENTER DEFAULT PURSUANT TO F.R.C.P. 55(a)

You will please enter a default on Defendants Derrick R. Banks and Anna E. Banks failure to plead or otherwise defend the Complaint filed on July 10, 2002, as provided in Rule 55(a) of the Federal Rules of Civil Procedure as appears in the attached declaration of Richard J. DeFortuna, Esquire.

Respectfully submitted,

JENNINGS SIGMOND, P.C.

By: s/Richard J. DeFortuna
RICHARD J. DeFORTUNA, ESQUIRE (ID. NO.86260)
SANFORD G. ROSENTHAL (ID. NO. 38991)
Jennings Sigmond, P.C.
The Penn Mutual Towers
510 Walnut Street, 16th Floor
Philadelphia, PA 19106
(215) 351-0622/0611

Date: September 17, 2002

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

CARPENTERS PENSION AND ANNUITY FUND	:	CIVIL ACTION
OF PHILADELPHIA AND VICINITY, et al	:	
	:	
Plaintiffs	:	
	:	
v.	:	
	:	
DERRICK R. BANKS and	:	
ANNA E. BANKS	:	
	:	
Defendants	:	NO. 02-4545

DECLARATION OF RICHARD J. DEFORTUNA FOR ENTRY OF DEFAULT

Richard J. DeFortuna, Esquire, having been first duly sworn according to law, hereby
deposes and states as follows:

1. I am the attorney for the Plaintiffs in the above-entitled action.
2. The Complaint and Summons in this action were served on the Defendants, by Gerald Taylor, Process Server, on July 25, 2002, as appears from the Affidavit of Service of the Complaint which has been duly docketed with the Court. The time in which the Defendants may answer or otherwise move as to the Complaint has expired.
3. The Defendants have not answered or otherwise moved and the time for Defendants to answer or otherwise move has not been extended.

I declare under penalty of perjury in accordance with 28 U.S.C. §1746 that the foregoing is true and correct to the best of my knowledge, information and belief

Executed on : September 17, 2002

s/Richard J. DeFortuna
RICHARD J. DEFORTUNA, ESQUIRE

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

CARPENTERS PENSION AND ANNUITY FUND OF PHILADELPHIA AND VICINITY, et al	:	CIVIL ACTION
	:	
	:	
Plaintiffs	:	
	:	
v.	:	
	:	
DERRICK R. BANKS and ANNA E. BANKS	:	
	:	
	:	
Defendants	:	NO. 02-4545

DECLARATION OF NON-MILITARY SERVICE

RICHARD J. DEFORTUNA, ESQUIRE, having been duly sworn according to law hereby deposes and states that he is legal counsel for Plaintiffs Carpenters Pension and Annuity Fund of Philadelphia and Vicinity, et al., and that the Defendants are not in the military or naval service of the United States or its allies, or otherwise within the provisions of the Soldiers and Sailors Civil Relief Act of 1940 or its amendments.

I declare under penalty of perjury in accordance
with 28 U.S.C. §1746 that the foregoing is true and
correct to the best of my knowledge, information
and belief

Executed on : September 17, 2002

s/Richard J. DeFortuna
RICHARD J. DEFORTUNA, ESQUIRE

CERTIFICATE OF SERVICE

I, Richard J. DeFortuna, Esquire, statue under penalty of perjury that I caused a copy of the foregoing Request to Clerk to Enter Default Pursuant to F.R.C.P. 55(a) to be served via first class mail, postage prepaid on the date and to the address below:

Derrick R. Banks
4312 Terrace Street
Philadelphia, PA 19128

Anna E. Banks
4312 Terrace Street
Philadelphia, PA 19128

s/Richard J. DeFortuna
RICHARD J. DEFORTUNA, ESQUIRE

Date: September 17, 2002

THIS DOCUMENT HAS BEEN ELECTRONICALLY FILED AND IS AVAILABLE FOR
VIEWEING AND DOWNLOADING FROM THE ECF SYSTEM